

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## **CLEARINGHOUSE RULE 95-073**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### **2. Form, Style and Placement in Administrative Code**

a. In s. NR 485.02 (14), the last sentence appears to be an explanation of a method of determining a model year if the manufacturer does not designate a production period. If so, this sentence belongs more appropriately in a note to the rule, with the phrase “shall be as” replaced by the phrase “may be.”

b. In s. NR 485.04, the first sentence should be renumbered as sub. (1), possibly with the title “APPLICABILITY.” This sentence does not grammatically lead into the following sub-units of this section and should not be unnumbered. If the first sentence is numbered as sub. (1), the remaining subsections and the internal cross-references should be renumbered accordingly.

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

a. In s. NR 485.02 (16), a more specific reference would cite s. NR 484.04 (7).

b. In s. NR 485.02 (20), a more specific reference would cite s. NR 484.04 (8).

c. The reference to ch. Trans 131 in s. NR 485.04 (intro.) could be made more specific. Many of the provisions in ch. Trans 131 do not apply to emission limitations.

d. In s. NR 485.04 (5), references to Table 3 in this subsection could be made more specific in order to more easily locate the appropriate test. For example, hydrocarbons are

located in sub. (1) of Table 3, carbon monoxide is located in sub. (2) of Table 3 and oxides of nitrogen are located in sub. (3) of Table 3.

**5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. Throughout the rule, the series of three periods used prior to the phrase “the effective date of this rule” should be deleted.

b. In s. NR 485.02 (11) (intro.), the word “and” should be inserted prior to the last “which.”

c. In s. NR 485.07 (3) (b), should the word “active” in the second sentence be replaced by the word “inactive”?